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Docket No. 4303-4003US6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Gregory Pinchasik et al.

Group Art Unit: 3731

Serial No.: 10/619,837

Examiner: TBA

Filed: July 14, 2003

For: LONGITUDINALLY FLEXIBLE STENT

CERTIFICATE OF MAILING (37 C.F.R. §1.8(A))

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached:

1. Supplemental Information Disclosure Statement;
2. Supplemental Form PTO 1449;
3. Three references;
4. Return postcard

along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

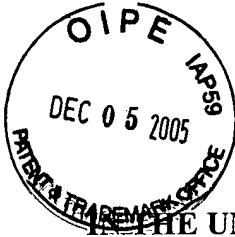
Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: December 1, 2005

By: Keith J. McWha
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. , filed .
4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
 - ☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or
 - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the

national stage as set forth in §1.491 in an international application; or

- ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
- ☐ 37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.
5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$180.00 is enclosed in payment of the fee.
- ☐ Charge the fee to Deposit Account No. 13-4500, Order No. _____. A
DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. the fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 below.
8. ☐ This Information Disclosure Statement is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
- b. ☐ 37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).
- c. ☐ The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11 below.

9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ This document is accompanied by ☐ a Search Report ☐ Communication which was cited in a corresponding ☐ PCT or ☐ Foreign counterpart application
11. ☐ A check in the amount of \$ _____ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).
- ☐ Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4303-4003US6. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: December 1, 2005

By: _____

Keith J. McWha
Registration No. 44,235

Correspondence Address:

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FORM PTO-1449A INFORMATION DISCLOSURE CITATION	Attorney Docket: 4303-4003US6	Serial No.: 10/619,837
	Applicant: Gregory Pinchasik	
	Filing Date: July 14, 2003	Group Art Unit: 3731

U.S. PATENT / PUBLICATION DOCUMENTS

Examiner Initial		Patent/Publication Number	Publication/Issue Date	Name	Filing Date
	1.	6,193,747	2/27/01	von Oepen, Randolph	
	2.	6,190,403	2/20/01	Fischell et al.	
	3.	5,707,386	1/13/98	Schnepp-Pesch et al	
	4.	5,860,999	1/19/99	Schnepp-Pesch et al.	
	5.	6,013,091	1/11/00	Ley et al.	
	6.	5,922,021	7/13/99	Jang	
	7.	6,416,538	7/9/02	Ley et al.	
	8.	2002/0103529	8/1/02	Pinchasik et al.	
	9.	5,807,404	9/15/98	Richter	
	10.	5,595,571	1/21/97	Jaffe et al.	
	11.	5,720,777	2/24/98	Jaff� et al.	
	12.	5,843,181	12/1/98	Jaffe et al.	
	13.	5,895,407	4/20/99	Jayaraman	
	14.	4,755,593	7/15/88	Lauren	
	15.	5,865,723	2/2/99	Love	
	16.	5,575,818	11/19/96	Pinckuk	
	17.	6,299,604	10/9/01	Ragheb et al.	
	18.	5,591,224	1/7/97	Schwartz et al.	
	19.	5,628,785	5/13/97	Schwartz et al.	
	20.	5,800,507	9/1/98	Schwartz	
	21.	5,849,034	12/15/98	Schwartz	
	22.	6,132,461	10/17/00	Thompson	
	23.	6,193,747	2/27/01	Von Oepen	

Examiner	Date Considered
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	

FORM PTO-1449A INFORMATION DISCLOSURE CITATION	Attorney Docket: 4303-4003US6	Serial No.: 10/619,837
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	Filing Date: July 14, 2003	Group Art Unit: 3731

	24.	4,733,665	3/29/88	Palmaz	
	25.	5,836,964	11/17/98	Richter et al.	
	26.	6,053,941	4/25/00	Lindenberg et al.	
	27.	6,017,365	1/25/00	Von Oepen	
	28.	6,241,762	6/5/01	Shanley	
	29.	5,843,180	12/1/98	Jaffe et al.	
	30.	6,162,245	12/19/00	Jayaraman, Swaminathan	
	31.	5,913,895	6/22/1999	Burpee et al.	
	32.	5,603,721	2/18/1997	Lau et al.	
	33.	5,832,180	12/1/1998	Jaffe et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initial		Patent Number	Publication Date	Country	Copy Filed	Translation
	34.	WO 98/35634	8/20/98	WO	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	35.	WO 99/15108		WO	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No
	36.	29708879		Germany	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No

Examiner	Date Considered
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	